

AMENDED IN SENATE SEPTEMBER 4, 2003

SENATE BILL

No. 11

Introduced by Senator Cedillo

December 2, 2002

An act relating to ~~public safety~~ to amend Section 40420 of the Health and Safety Code, relating to air quality..

LEGISLATIVE COUNSEL'S DIGEST

SB 11, as amended, Cedillo. ~~Public safety~~ Air quality: South Coast Air Quality Management District: district board membership.

(1) Existing law, the Lewis-Presley Air Quality Management Act, establishes the South Coast Air Quality Management District in those portions of the Counties of Los Angeles, Orange, Riverside, and San Bernardino included within the South Coast Air Basin, and designates that district as the sole and exclusive local agency with the responsibility for comprehensive air pollution control within that basin. Existing law requires the south coast district to be governed by a district board consisting of 12 members, including one member appointed by the cities in the western region of the County of Los Angeles, and one member appointed by the cities in the eastern region of the County of Los Angeles. Under existing law, those specified cities are required to organize as a city selection committee and hold a public meeting in order to determine the appointment from each region. Existing law prescribes the cities that comprise the western region of the County of Los Angeles, and provides that those cities not specified as included in the western region of that county are deemed to constitute the eastern region for the purposes of appointing members to the district board.

This bill increase the number of members on the south coast district board to 13, and would require the additional member to be appointed

by the City of Los Angeles. The bill would adjust and clarify the cities included in the western and eastern regions of the County of Los Angeles for the purposes of appointing the remaining board members. By establishing additional duties on cities within the south coast district, this bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Existing law provides for public safety.

~~This bill would set forth the intent of the Legislature that the State of California shall develop criteria and procedures to improve public safety, responsibility, and accountability for all Californians.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes. State-mandated local program: ~~no~~ yes.

The people of the State of California do enact as follows:

- 1 ~~SECTION 1. It is the intent of the Legislature, by enacting this~~
- 2 ~~SECTION 1. Section 40420 of the Health and Safety Code is~~
- 3 ~~amended to read:~~
- 4 40420. (a) The south coast district shall be governed by a
- 5 district board consisting of 12 members appointed as follows:
- 6 (1) One member appointed by the Governor, with the advice
- 7 and consent of the Senate.
- 8 (2) One member appointed by the Senate Committee on Rules.
- 9 (3) One member appointed by the Speaker of the Assembly.
- 10 (4) Four members appointed by the boards of supervisors of the
- 11 counties in the south coast district. Each board of supervisors shall
- 12 appoint one of these members, who shall be one of the following:
- 13 (A) A member of the board of supervisors of the county making
- 14 the appointment.

(B) A mayor or member of a city council from a city in the portion of the county making the appointment that is included in the south coast district.

(5) Three members appointed by cities in the south coast district. The city selection committee of Orange, Riverside, and San Bernardino Counties shall each appoint one of these members, who shall be either a mayor or a member of the city council of a city in the portion of the county included in the south coast district.

(6) (A) A member appointed by the cities of the western region of Los Angeles County, consisting of the Cities of Agoura Hills, Artesia, Avalon, *Bellflower*, Beverly Hills, *Calabasas*, Carson, Cerritos, Compton, Culver City, *Downey*, El Segundo, Gardena, *Hawaiian Gardens*, Hawthorne, Hermosa Beach, Hidden Hills, Inglewood, *Lakewood*, Lawndale, Lomita, ~~Los Angeles~~, *Long Beach*, Lynwood, Malibu, Manhattan Beach, *Norwalk*, Palos Verdes Estates, *Paramount*, Rancho Palos Verdes, Redondo Beach, Rolling Hills, Rolling Hills Estates, *Santa Fe Springs*, Santa Monica, *Signal Hill*, *Southgate*, Torrance, West Hollywood, and Westlake Village. ~~These~~

(B) *The cities described in subparagraph (A) shall organize as a city selection committee for the purposes of subdivision (f). The member appointed shall be either a mayor or a member of the city council of a city in the western region.*

(7) (A) A member appointed by the cities of the eastern region of Los Angeles County, consisting of the cities in Los Angeles County that are not listed in paragraph (6) of *Alhambra*, *Arcadia*, *Azusa*, *Baldwin Park*, *Bell*, *Bell Gardens*, *Bradbury*, *Burbank*, *Claremont*, *Commerce*, *Covina*, *Cudahy*, *Diamond Bar*, *Duarte*, *El Monte*, *Glendale*, *Glendora*, *Huntington Park*, *Industry*, *Irwindale*, *La Canada-Flintridge*, *La Habra Heights*, *La Mirada*, *La Puente*, *La Verne*, *Maywood*, *Monrovia*, *Montebello*, *Monterey Park*, *Pasadena*, *Pico Rivera*, *Pomona*, *Rosemead*, *San Fernando*, *San Dimas*, *San Gabriel*, *San Marino*, *Santa Clarita*, *Sierra Madre*, *South El Monte*, *South Pasadena*, *Temple City*, *Vernon*, *Walnut*, *West Covina*, and *Wittier*. ~~These~~

(B) *The cities described in subparagraph (A) shall organize as a city selection committee for the purposes of subdivision (f). The member appointed shall be either a mayor or a member of the city council of a city in the eastern region.*

1 (8) *A member appointed by the City of Los Angeles. The*
2 *member appointed shall be either a mayor or a member of the city*
3 *council of the City of Los Angeles.*

4 (b) All members shall be appointed on the basis of their
5 demonstrated interest and proven ability in the field of air
6 pollution control and their understanding of the needs of the
7 general public in connection with air pollution problems of the
8 South Coast Air Basin.

9 (c) The member appointed by the Governor shall be either a
10 physician who has training and experience in the health effects of
11 air pollution, an environmental engineer, a chemist, a
12 meteorologist, or a specialist in air pollution control.

13 (d) Each member shall be appointed on the basis of his or her
14 ability to attend substantially all meetings of the south coast
15 district board, to discharge all duties and responsibilities of a
16 member of the south coast district board on a regular basis, and to
17 participate actively in the affairs of the south coast district. No
18 member may designate an alternate for any purpose or otherwise
19 be represented by another in his or her capacity as a member of the
20 south coast district board.

21 (e) Each appointment by a board of supervisors shall be
22 considered and acted on at a duly noticed, regularly scheduled
23 hearing of the board of supervisors, which shall provide an
24 opportunity for testimony on the qualifications of the candidates
25 for appointment.

26 (f) The appointments by cities in the south coast district shall
27 be considered and acted on at a duly noticed meeting of the city
28 selection committee, which shall meet in a government building
29 and provide an opportunity for testimony on the qualifications of
30 the candidates for appointment. Each appointment shall be made
31 by not less than a majority of all the cities in the portion of the
32 county included in the south coast district having not less than a
33 majority of the population of all the cities in the portion of the
34 county included in the south coast district. Population shall be
35 determined on the basis of the most recent verifiable census data
36 developed by the Department of Finance. Persons residing in
37 unincorporated areas or areas of a county outside the south coast
38 district shall not be considered for the purposes of this subdivision.

39 (g) The members appointed by the Senate Committee on Rules
40 and the Speaker of the Assembly shall have one or more of the

1 qualifications specified in subdivision (c) or shall be a public
2 member. No such member appointed may be a locally elected
3 official.

4 (h) All members shall be residents of the district.

5 *SEC. 2. Notwithstanding Section 17610 of the Government*
6 *Code, if the Commission on State Mandates determines that this*
7 *act contains costs mandated by the state, reimbursement to local*
8 *agencies and school districts for those costs shall be made*
9 *pursuant to Part 7 (commencing with Section 17500) of Division*
10 *4 of Title 2 of the Government Code. If the statewide cost of the*
11 *claim for reimbursement does not exceed one million dollars*
12 *(\$1,000,000), reimbursement shall be made from the State*
13 *Mandates Claims Fund.*

14 ~~measure, to do both of the following:~~

15 ~~(a) Ensure California's future public safety and prosperity by~~
16 ~~improving highway and road conditions for all Californians.~~

17 ~~(b) Ensure that Californians shall have a responsibility to meet~~
18 ~~state highway safety requirements.~~

19 ~~SEC. 2. It is the intent of the Legislature that the State of~~
20 ~~California shall develop criteria and procedures to improve public~~
21 ~~safety, responsibility, and accountability for all Californians.~~

